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Bank of America Corporation, Banc of  
7 America Investment Services, Inc. and Banc  
of America Securities LLC  
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9 **UNITED STATES DISTRICT COURT**  
10 **SOUTHERN DISTRICT OF CALIFORNIA**  
11

12 Sumner D. Bearman, Individually  
and on Behalf of All Others  
13 Similarly Situated,

14 Plaintiff,

15 v.

16 Bank of America Corporation, Banc  
of America Investment Services,  
17 Inc., and Banc of America Securities  
LLC,  
18

19 Defendant.  
20  
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Case No. 08-CV-1115-DMS-WMC

JOINT MOTION AND [PROPOSED]  
ORDER EXTENDING TIME FOR  
DEFENDANTS TO RESPOND TO  
PLAINTIFF'S COMPLAINT

22 IT IS HEREBY STIPULATED AND AGREED, by and between the  
23 undersigned counsel, that the time for Defendants Bank of America Corporation,  
24 Banc of America Investment Services, Inc., and Banc of America Securities LLC  
25 ("Bank of America") to move, answer, or otherwise respond to Plaintiff's Class  
26 Action Complaint will be extended to no later than 60 days from the filing of an  
27  
28

1 amended or consolidated complaint, to be filed after selection of lead plaintiff and  
2 lead counsel pursuant to the provisions of the Private Securities Litigation Reform  
3 Act.  
4

5 No prior extension has been requested or granted. A proposed order is  
6 attached.  
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9 Dated: July 30, 2008

SETH ARONSON  
DAVID I. HURWITZ  
O'MELVENY & MYERS LLP

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12 By: /s/ Seth Aronson

Seth Aronson  
Attorneys for Defendants  
Bank of America Corporation, Banc of  
13 America Investment Services, Inc. and  
14 Banc of America Securities LLC  
15

16 Dated: July 30, 2008

17 By: /s/ Eileen L. McGeever

Eileen L. McGeever

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